

Message Text

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12

ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SPC-03 SS-15

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 7048

INFO USUN NEW YORK 1617

AMEMBASSY SEOUL

CINCPAC HONOLULU HI

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CINCPAC FOR POLAD

E.O. 11652: N/A

TAGS: PINT PFOR JA KS

SUBJECT: FURTHER DIET DEBATE OF ROK SUBPOENA DELIVERED
IN JAPAN

REF: TOKYO 12354

SUMMARY: OPPOSITION QUESTIONED GOJ IN DIET SEPTEMBER 25 ABOUT
SECOND ROK SUBPOENA ALLEGEDLY SERVED ON KOREAN RESIDENT IN
JAPAN, CHARGING THAT THIS VIOLATES JAPANESE SOVEREIGNTY. GOJ
SPOKESMEN AGREED THAT THIS WOULD CONSTITUTE VIOLATION OF
SEVEREIGNTY IF FACTS ARE TRUE AS STATED. END SUMMARY.

1. DURING TUESDAY SESSION OF LOWER HOUSE JUDICIARY
COMMITTEE SESSION SEIJI MASAMORI (JCP) PRESSED GOJ FOR OPINION
ON COPY OF ALLEGED SUBPOENA ISSUED BY SEOUL DISTRICT PROCURATOR
AND MAILED TO KOREAN RESIDENT IN JAPAN MRS. YUN SUN-YOL BY
ROK EMBASSY TOKYO. MASAMORI EXPLAINED THAT ORIGINAL HAS
BEEN GIVEN TO MOFA, AND PRESENTED COPY TO COMMITTEE.

SUBPOENA DATED APRIL 26, 1973, SUMMONED MRS. YUN TO APPEAR

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IN COURT IN SEOUL NO LATER THAN JULY 6 FOR QUESTIONING IN

CONNECTION WITH SUSPECTED VIOLATION OF ROK ANTI-COMMUNISM LAW. THIS SECOND SUBPENA CASE BROUGHT TO LIGHT IN RECENT DAYS (REFTEL).

2. MINJUSTICE ISAJI TANAKA REPLIED THAT SUCH ACTION WOULD CONSTITUTE VIOLATION OF JAPANESE SOVEREIGNTY, IF TAKEN WITHOUT GOJ CONSENT. HE SAID THAT HE WOULD REQUEST MOFA TO DISCUSS MATTER CANDIDLY WITH ROKG.

3. TOSUKE NAKAE (MOFA ASIAN AFFAIRS BUREAU COUNSELOR) REPLIED THAT SUBPOENA APPEARED TO BE CRIMINAL PROCEDURE DOCUMENT, WHICH WOULD REQUIRE CONSENT OF GOJ FOR SERVICE IN JAPAN. HOWEVER, SINCE GOJ HAS NOT REPEAT NOT GIVEN SUCH CONSENT, NAKAE CONCLUDED THAT MAILING SUBPOENA TO MRS. YUN CONSITUTES VIOLATION OF JAPANESE SOVEREIGNTY.
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Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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Disposition History: n/a
Disposition Reason:
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